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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,620	02/05/2002	Rafael Revivo	1036-02	6771
35811	7590	07/26/2005	EXAMINER	
IP GROUP OF DLA PIPER RUDNICK GRAY CARY US LLP			A, MINH D	
1650 MARKET ST			ART UNIT	
SUITE 4900			PAPER NUMBER	
PHILADELPHIA, PA 19103			2821	

DATE MAILED: 07/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/068,620

**Applicant(s)**

REVIVO, RAFAEL

**Examiner**

Minh D A

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Regarding claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burrows (US 5,980,976) in view of Treger et al (US 5,681,666).

Regarding claims 1 and 4, Burrows discloses a method for construction EL system in monolithic structure comprising a depositing nonconductive substrate (17); a cord (19) made of a conductive material to form at least one zone and the cord (19) to form a complex within the zone by alternating steps of coating and drying; and covering the complex within a pliable film. However, Burrows does not teach that, at least seven layers of an electroluminescent material on the nonconductive substrate. See figures 1-6, col.5, lines 19-68 to col.10, lines 1-51.

Treger discloses at least seven layers (14, 18, 22, 26, 30, 34 and 38) of an electroluminescent material on the nonconductive substrate (12). See figures 1-2b, col.3, lines 28-68 to col.6, lines 1-59.

It would have been an obvious to one of ordinary skill in the art at the time the invention was made to employ a at least seven layers of an electroluminescent material on the nonconductive substrate such as that suggested by Treger in the EL system of

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Burrows to provide a multilayer composite for moisture sensitive materials and articles, since it is useful for depositing or forming the layers on the flexible substrate.

Regarding claim 2, Burrow does not disclose the number of layers of electroluminescent material is between 9 and 14. However, Treger discloses that, a multilayer composite can be more than seven layers. See col.6, lines 14-20.

Regarding claim 3, Burrow disclose wherein an opaque material is deposited between electroluminescent zones formed by additional cords (opaque second electrode). See col.2, lines 34-36.

Regarding claim 5, Burrow wherein the cover (12) is sealed for protecting a heat. See figure 1.

Regarding claim 6, Burrow discloses a power source delivering an alternating current of about 450 Hz. See col.1, lines 28-42.

### ***Allowable Subject Matter***

3. Claims 7-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not teach that, a multiplicity of conductive cords, each of which delimits a closed zone; an electrical power source formed by a box containing at least one battery; and a high-frequency AC/DC converter whose output is connected to ends of each of the conductive cords recited in dependent claims 7-10.

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***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chipalkatti et al (US 2001/0053082) is cited to show an electroluminescent vehicle lamp.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Minh A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 –2:30 PM).

If attempts to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Don Wong, can be reached on (571) 272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and (703) 872-9319 for final communications.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (571) 272-1553.



**HOANG V. NGUYEN  
PRIMARY EXAMINER**

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Examiner

Minh A

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7/22/05